

Attorney's Docket No.: 10663-013001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Daniel L. Roth et al

Art Unit : 2655

Serial No. : 09/779,426

Examiner : Huyen X. Vo

Filed : February 8, 2001

Title : FEEDBACK FOR UNRECOGNIZED SPEECH

**MAIL STOP AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESUBMISSION OF NOTICE OF APPEAL

By request of the Patent and Trademark Office, enclosed please find the following copies to serve as a resubmission to the Notice of Appeal previously filed on April 11, 2005:

1. A copy of the Notice of Appeal submitted to the Patent and Trademark Office on April 14, 2005 (as indicated by enclosed returned stamped postcard). We do not have a signed copy of the Notice of Appeal on file, but the returned stamped postcard indicates receipt of this document by the Patent and Trademark Office.

2. A Copy of the Return Postcard as stamped by the Patent and Trademark Office on April 11, 2005.

3. A copy of the Petition for Three- Month Extension of Time, mailed April 11, 2005 (as indicated by the Certificate of Mailing by First Class, signed on and dated April 11, 2005 by Terri L. Knox).

4. A Copy of the Applicant Initiated Interview Request Form.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

August 15, 2005

Date of Deposit

Cassie A Chandler

Signature

Cassie A. Chandler

Typed or Printed Name of Person Signing Certificate

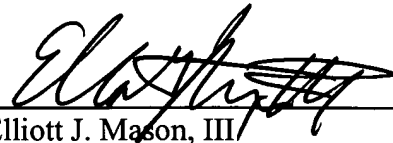
Applicant : Daniel L. Roth et al  
Serial No. : 09/779,426  
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Page : 2 of 2

Attorney's Docket No.: 10663-013001

No fee is believed to be due. Please apply any charges or credits to deposit  
account 06-1050.

Respectfully submitted,

Date: 8-15-05

  
\_\_\_\_\_  
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NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated October 12, 2004, finally rejecting claims 1-9 and 17-39.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 3 month(s) to and including April 12, 2005 is enclosed.

A check in the amount of \$250 for the appeal fee is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing attorney docket 10663-013001.

Respectfully submitted,

Date: \_\_\_\_\_

8-15-05

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Attorney's Docket No. 10663-013001		Express Mail Label No.	Mailing Date April 11, 2005
Application No. 09/779,426		Filing Date February 8, 2001	Attorney/Secretary Init MJH/EJM/tvk
Title of the Invention <b>FEEDBACK FOR UNRECOGNIZED SPEECH</b>			
Applicant Daniel L. Roth et al			
Enclosures - Check in the amount of \$250.00; \$510.00 - Notice of Appeal - Petition for Extension of Time (3 months) - Other: Applicant Initiated Interview Request Form - Substitute PTOL-413A (1 page)			
<div style="text-align: right;"><b>For PTO Use Only</b> Do Not Mark in This Area</div> <div style="text-align: center;"></div>			

AUG 17 2005

## Applicant Initiated Interview Request Form

Application No. : 09/779,426

First Named Applicant: Daniel L. Roth et al

Examiner: Huyen X. Vo

Art unit: 2655

Status of Application: Pending

## Participants:

(1) Elliott Mason

(2) \_\_\_\_\_

(3) \_\_\_\_\_

(4) \_\_\_\_\_

Date of Interview: 4-8-05

Time: 2:00 (PM)

## Type of Interview:

(1) ☒ Telephonic(2) ☐ Personal(3) ☐ Video ConferenceExhibit To Be Shown or Demonstrated: ☐ YES☒ NO

If yes, provide brief description:

## Issues Discussed

Issues (Rej., Obj., etc)	Claims Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Rejection	claim 1	Curry et al.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(2) Rejection	claim 34	Curry et al.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

## Brief Description of Arguments Presented:

Applicant's representative argued that the Curry reference does not disclose all of the limitations of claim 1 or claim 34. The examiner agreed and stated he would withdraw the finality and issue a new office action after conducting further search.

An interview was conducted on the above-identified application on 4-9-05

## NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

(Applicant/Applicant's Representative Signature)

(Examiner/SPE Signature)